

K&L GATES

February 28, 2024

Donald W. Kiel
Donald.Kiel@klgates.com

Via ECF

T +1 973 848 4064
F +1 973 848 4001

Honorable Claire C. Cecchi
United States District Judge
United States District Court for the District of New Jersey
MLK Jr. Federal Bldg. & Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: Vala, LLC v. MetroPCS New York, LLC et al.
Docket Nos.: 2:22-cv-07332

Dear Judge Cecchi:

This Firm represents Defendants MetroPCS New York, LLC and T-Mobile US, Inc. ("Defendants") in the captioned matter. In January 2023, Defendants moved to dismiss the majority of counts of the Complaint in the captioned matter in lieu of an Answer under Fed. R. Civ. Pro. 12(b). On November 8, 2023, Magistrate Judge Waldor advised the parties that the Court had administratively terminated the motion without prejudice while the parties attempted to settle the litigation.

The parties participated in a settlement conference before Magistrate Judge Waldor on February 26, 2024, and were not successful in settling. Magistrate Judge Waldor has scheduled another settlement conference for May 6, 2024.

I write on behalf of the Defendants to respectfully request that the Court reverse the administrative termination of their motion to dismiss so that the motion is placed back on the Court's calendar. Defendants believe that a ruling on the motion will be helpful for both parties in connection with any further settlement discussions.

We appreciate the Court's consideration in this matter.

Respectfully,
s/Donald W. Kiel
Donald W. Kiel

cc: Magistrate Judge Cathy L. Waldor (via ECF)
Kevin Russell, Esq. (via ECF)